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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/719,267	11/21/2003	Jean-Pierre Dath	F-756 CON (31223/00020)	2790	
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David J. Alexander		DANG, THUAN D			
Fina Technology, Inc.		ART UNIT		PAPER NUMBER	
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Houston, TX 77267-4412					
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JEA-PIERRE DATH,
AND WALTER VERMEIREN

Application No. 10/719,267
Technology Center 1764

Mailed: May 7, 2009

Before DELORES LOWE, *Review Team Paralegal*
LOWE, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on April 23, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing is identified below:

On February 15, 2007, appellants filed an Appeal Brief. A review of the file reveals that claims 23 and 31 in the appendix of the Appeal Brief are not consistent as amended in the Amendment filed on January 23, 2006. Appropriate correction required.

Accordingly, it is

CONCLUSION

Accordingly, it is **ORDERED** that the application is returned to the Examiner:

- 1) for correction of the Appendix for such further action as may be appropriate; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

/DAL/

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